S.B. CRIMINAL MISC. IInd BAIL APPLICATION NO.2746/2006
(Kishan Lal Vs. State)

Date of order : 6.7.2006

HON'BLE MR. JUSTICE GOPAL KRISHAN VYAS

Mr. Sandep Mehta, with
Mr. Vineet Jain, for the applicant.
Mr. L.R. Upadhyay, Public Prosecutor.

I have heard learned counsel for the applicant as well as learned Public Prosecutor for the State and carefully gone through the challan papers.

It is contended by the learned counsel for the applicant that first bail application was rejected by this Court vide order dated 22.5.2006 and liberty was granted to applicant to move fresh bail application after filing of challan. Learned counsel for the applicant contends that now challan has been filed and as per the FIR and the statement of injured Tarachand, the applicant was armed with axe and there is no incised wound upon the head as per the injury report of injured Tarachand. It is also contended by learned counsel for applicant that axe was recovered but that too was not stained with blood and the allegation with regard to inflicting head injury is against other accused Amarchand.

Taking into consideration the facts and circumstances of the case and without expressing any

opinion, I think it just and proper to enlarge the accused-applicant on bail.

Accordingly, the second bail application filed under Section 439 Cr.P.C. is allowed and it is directed that the applicant Kishan Lal S/o Roop Chand shall be released on bail (in FIR No.84/2006, P.S. Gangasahar, District Bikaner) provided he executes a personal bond in the sum of Rs.20,000/- and furnishes two sound and solvent sureties in the sum of Rs.10,000/- each to the satisfaction of the learned trial court for his appearance before that Court on each and every date of hearing and whenever called upon to do so, till the completion of trial.

(GOPAL KRISHAN VYAS), J.

arun